

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

STATE OF MISSOURI, *et al.*,

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF  
EDUCATION, *et al.*,

*Defendants.*

Case No. 2:24-cv-00103-JRH-CLR

**DEFENDANTS' RESPONSE TO PLAINTIFFS'  
MOTION TO SEAL**

In support of their complaint and motions for injunctive relief, Plaintiffs filed two exhibits under seal. *See* Exs. D & F to the Compl., ECF Nos. 1-4 & 1-6. The accompanying Motion to Seal, ECF No. 6, indicates that Plaintiffs sought to seal the exhibits (one of which is marked confidential) “in an abundance of caution, recognizing that Defendants are in the best position to determine any consequences of unsealing.” *Id.* at 2.

Without expressing a view as to the legality of the process through which the exhibits were obtained, or as to the applicability of privileges and protections that might otherwise justify their sealing, Defendants acknowledge the “tradition favoring access” underlying the common-law right to court filings, *Chi. Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1312 (11th Cir. 2001), and the fact that they have (by necessity) discussed these exhibits at length in a recent filing. *See generally* Defs.’ Mem. of Law in Opp’n to Pls.’ Mot. for a Stay, ECF No. 35. Under these circumstances, Defendants do not object to these documents being unsealed.

Dated: September 13, 2024

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